

304.9-705 Reinsurance intermediary license required -- Exemption.

- (1) No individual or business entity shall act as a reinsurance intermediary broker in Kentucky if the reinsurance intermediary broker maintains an office either directly or as a director, officer, member, or employee of a business entity:
 - (a) In Kentucky, unless the reinsurance intermediary broker is a licensed insurance producer in Kentucky and may sell reinsurance products under that insurance producer license; or
 - (b) In another state, unless the reinsurance intermediary broker is a licensed insurance producer in Kentucky and may sell reinsurance products under that producer license, or is licensed in another state having a law substantially similar to KRS 304.9-700 to 304.9-759, or the reinsurance intermediary broker is licensed in Kentucky as a nonresident reinsurance intermediary.
- (2) No individual or business entity shall act as a reinsurance intermediary manager:
 - (a) For a reinsurer domiciled in Kentucky, unless the reinsurance intermediary manager is a licensed insurance producer in Kentucky and may sell reinsurance products under that insurance producer license;
 - (b) In Kentucky, if the reinsurance intermediary manager maintains an office, either directly or as a director, officer, member, or employee of a business entity in Kentucky, unless the reinsurance intermediary manager is a licensed insurance producer in Kentucky and may sell reinsurance products under that insurance producer license; or
 - (c) In another state for a nondomestic insurer, unless the reinsurance intermediary manager is a licensed insurance producer in Kentucky and may sell reinsurance products under that insurance producer license, is licensed in another state having a law substantially similar to KRS 304.9-700 to 304.9-759, or the person is licensed in Kentucky as a nonresident reinsurance intermediary.
- (3) The executive director may issue a reinsurance intermediary license to any individual or business entity who has complied with the requirements of KRS 304.9-700 to 304.9-759 and who is financially responsible to exercise the license. The license issued to a business entity shall be exercised only by individuals designated with the executive director as to the license in accordance with KRS 304.9-133.
- (4) The executive director may refuse to issue a reinsurance intermediary license if, in his judgment, the applicant, anyone named on the application, or any member, principal, officer, or director of the applicant is not trustworthy or of good reputation, or that any controlling person of the applicant is not trustworthy to act as a reinsurance intermediary, or that any of the foregoing persons have given cause for revocation or suspension of the license, or has failed to comply with any prerequisite for the issuance of the license.
- (5) Licensed attorneys-at-law of Kentucky, when acting in their professional capacity as attorneys, shall be exempt from this section.

Effective: July 15, 2002

History:Amended 2002 Ky. Acts ch. 273, sec. 38, effective July 15, 2002. -- Created 1992 Ky. Acts ch. 155, sec. 2, effective July 14, 1992.

Legislative Research Commission Note (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.